

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA**

Merry Maids, L.P.,

Civil File No. 3:03CV 434-MU

Plaintiff,

vs.

Bremac, Inc. and
Mark C. Alexander, Individually,

**DEFAULT JUDGMENT AND
PERMANENT INJUNCTION AGAINST
DEFENDANTS BREMAC, INC. AND
MARK C. ALEXANDER**

Defendants.

This matter came on before the Court pursuant to plaintiff Merry Maids, L.P.'s ("Merry Maids") Motion for Entry of Final Default Judgment and Permanent Injunction. The Court having previously granted default judgment against defendants for failure to comply with orders of the Court, and having reviewed the motion and the entire file and record, hereby makes and enters the following order and judgment:

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that:

1. Judgment in the amount of \$2,500.00 is entered against defendants Bremac, Inc. and Mark C. Alexander, jointly and severally, pursuant to this Court's March 18, 2005, Order, which was filed by the Clerk of Court on March 21, 2005.
2. Defendants Bremac, Inc. and Mark C. Alexander together with their agents, servants, employees, attorneys and those persons acting in concert or participation with them, including Raymark, Inc., shall immediately:
 - a. cease holding themselves out as a current or former Merry Maids Franchisee and shall cease doing business as Merry Maids and cease the use of all trademarks, software, materials, methods, or promotional materials provided by Merry Maids;

- b. take all necessary steps to disassociate from Merry Maids, including assigning all telephone number(s) and listing(s) to Merry Maids; destroying or returning all letterheads and promotional material; removing all identification of the "Merry Maids" name and trademarks and discontinue all Merry Maids advertising;
 - c. return to Merry Maids all Confidential Manuals (as that term is defined in Section 7 of the Franchise Agreement), software programs, video tapes, materials, equipment and training and promotional aids; and
 - d. notify all telephone companies and listing agencies of the expiration of Bremac, Inc. and Mark Alexander's right to use all telephone numbers and all classified and other directory listings associated with Merry Maids.
3. For a period of one (1) year from the date of this Judgment and Permanent Injunction, defendants Bremac, Inc. and Mark C. Alexander, together with their agents, servants, employees, attorneys and those persons acting in concert or participation with them, including Raymark, Inc., shall not, on their own account, or as a partner, employee, agent, advisor, consultant, officer, director, stockholder or in any other capacity, directly or indirectly do the following within Gaston County in the State of North Carolina or within 75 miles from the outer boundaries of Gaston County:
- (a) engage in any business, enterprise or activity competitive with Merry Maids;
 - (b) engage in the marketing or selling of cleaning services;
 - (c) solicit any Merry Maids customers;
 - (d) use, teach or otherwise distribute any information or knowledge gained in connection with defendant Bremac, Inc. and Mark C. Alexander's former franchise relationship with Merry Maids; and
 - (e) promote, sell or deal in any services, materials, or products (or substantially similar services, materials or products) that are handled, sold, distributed, offered or processed by Merry Maids.
4. Defendants Bremac, Inc. and Mark C. Alexander shall file with the Court and serve on Merry Maids' counsel a report in writing and under oath, within fifteen days

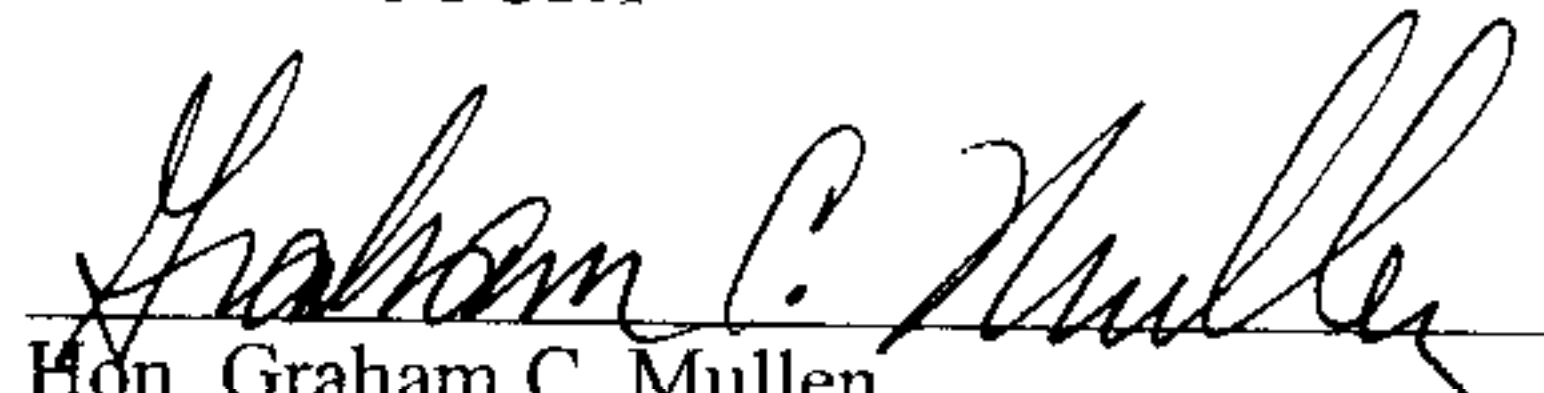
from the date of this Judgment and Permanent Injunction, setting forth in detail the manner and form in which they have complied with this Permanent Injunction.

5. Merry Maids hereby waives all right and entitlement to any monetary damages and attorneys' fees in this matter except that Merry Maids shall be entitled to petition this Court for any monetary damages, costs, disbursements, expenses, and attorneys' fees it may incur in enforcing this Judgment and Permanent Injunction against defendants Bremac, Inc. and Mark C. Alexander.

LET JUDGMENT BE ENTERED ACCORDINGLY, IMMEDIATELY AND WITHOUT DELAY. SO ORDERED.

Dated: 28 April, 2005.

BY THE COURT


Hon. Graham C. Mullen
Chief Judge of United States District Court
Western District of North Carolina

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